



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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April 2, 1999

William Stringer
Assistant Field Office Manager
BLM, Moab Field Office
82 East Dogwood Avenue
Moab, Utah 84532

Re: Small Mine Notice Complete, Permit Fee Due, J.R. Walker, Septarian Mine, S/019/046 (UTU-76427), Grand County, Utah

Dear Mr. Stringer:

Thank you for forwarding a copy of the Notice of Intention to Commence Small Mining Operations submitted by J.R. Walker for his Septarian Mine. The notice was received by the Division on March 22, 1999. We also received a copy of the March 29, 1999 letter to Mr. Walker stating the cultural and paleontological clearances have been completed; however, the notice was under BLM review. The proposed small mining project is located in the SE 1/4 Sec. 15, T23S, R18E, SLBM, Grand County, Utah.

The information in the small mine notice for the Septarian Mine is complete; however, **payment of the appropriate permit fee is required before this notice can be considered to be in effect under the Division regulations and prior to creating surface disturbances.** The Utah Mined Land Reclamation Act of 1975 [40-8-7(i)] provides the authority for fee implementation which was approved by the Utah Legislature at its 1998 session. Commencing July 1, 1998, the fees are assessed to new and existing notices of intention, and annually thereafter. Mr. Walker will need to pay the \$100.00 fee to the Division in order for this notice to be considered in effect. A check made out to the "Utah Division of Oil, Gas and Mining" for the appropriate amount is preferred.

The varaince section (Section V.) of the notice for the Septarian Mine was left blank. The Division will interpret this to mean that no variances are requested for this project and the operator will comply fully with all the applicable "Operation and Reclamation Practices" as described in the small mine notice form. A variance request is not required for those practices which apply to features which are nonexistent at the mine site. For example, a variance to the requirement of permanently sealing shafts or tunnels is not required if the mine operation does not include shafts or tunnels.

It is understood that the Division will notify your office of any permitting concerns we may have, and in turn, your office, acting as 'Lead Agency' will notify the operator accordingly. Since your office

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has already sent a response to this notice, we will forward a copy of this letter, along with a billing statement, to Mr. Walker in the interest of time.

We suggest the operator give special consideration to item #10 of the "Operation and Reclamation Practices. Stockpiling topsoil material prior to beginning mining operations will help ensure successful revegetation efforts upon final reclamation of the mine site. If the area being mined is a solid rock outcrop, or if the land surface is very rocky, then soil stockpiling is probably not possible. However, even the first few inches of undeveloped material is worth saving to aid in later revegetation efforts, and future regulatory release from reclamation requirements.

If Mr. Walker wishes to expand his operation beyond the five (5) acre limitation, he is advised to notify our office as soon as possible to discuss the necessary permitting requirements. Approval of a large mining notice could take from six to twelve months or longer.

A Memorandum of Understanding between this Division and the State Department of Environmental Quality (DEQ) requires us to notify them upon receipt of a mining application. Mr. Walker is advised to contact their office prior to starting his small mining operation to determine whether additional permits and/or approvals are required. We will forward a copy of this letter and the Septarian Mine notice to the DEQ for their review. Their address and phone number is: Department of Environmental Quality, 288 North 1460 West, Salt Lake City, Utah, 84116, (801) 538-6146.

Approval of mineral exploration or mining operations by the Division of Oil, Gas and Mining does not constitute approval to commence operations upon lands under state mineral leases/school sections administered by the School and Institutional Trust Lands Administration, or federal lands managed by the Bureau of Land Management (BLM) or United States Forest Service (USFS).

Please provide us with copies of future correspondence regarding this project. Please reference our file number S/019/046 in any future correspondence regarding this site. Thank you for your cooperation. When in the area, a member of the Division staff will examine the site.

Sincerely,



Anthony A. Gallegos
Senior Reclamation Specialist

jb
cc: J. R. Walker, Operator w/billing statement
Kiran Bhayani, DEQ w/notice
Tracking File
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